



#6
10/28/02

PATENT
Attorney Docket No.: 016494-001200US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gillis, Robert E.

Application No.: 09/920,080

Filed: July 31, 2001
For: LIGHT-WEIGHT FLEXIBLE
SHELTER STRUCTURE WITH
IMPROVED VOLUME

Examiner: Jennifer Eleanore Novosad

Art Unit: 3634

RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed September 27, 2002, please
amend the above-identified application as follows:

The Examiner has entered a multi-way restriction requirement but has recognized that certain claims, i.e., claims 1, 2, 4, 8-10, 16, 17, 21-23, and 24 are generic to each of the disclosed species. The Examiner is requiring applicant to provisionally elect one species and one sub-species to prosecute on the merits in the present application if no generic claim is finally held to be allowable. In response, applicant provisionally elects species (I) as shown in Figs. 1, 2, and 4a, and sub-species (i) as shown in Fig. 3a.

Applicant respectfully traverses the Examiner's identification of generic claims. Applicant respectfully submits claim 15 is also generic to each of the disclosed species in that it, like claim 1, recites an elongated flexible pole element. However, claim 15 further recites the pole element comprises a plurality of interconnected pole segments. This further limitation, however, is generic to each of the disclosed species. The Examiner found essentially identical dependent claim 24 generic, and applicant therefore believes the omission of claim 15 from the list of generic claims must have been a mere oversight. ✓_{OK}

RECEIVED
OCT 22 2002
GROUP 3634

Gillis, Robert E.
Application No.: 09/920,080
Page 2

PATENT

Applicant further notes that in a Preliminary Amendment filed March 8, 2002, applicant added claims 25-28. Applicant respectfully submits that claim 25 is also ^{✓ok} generic to each of the disclosed species. Applicant therefore requests the Examiner to consider claims 15 and 25 generic for purposes of prosecution on the merits.

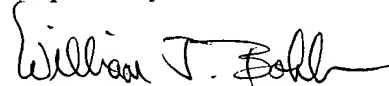
Applicant respectfully submits the following claims read on the provisionally elected species and sub-species: 1-5, 7-12, 15-18, and 20-26.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



William J. Bohler
Reg. No. 31,487

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: (415) 576-0300
WJB:ksj
PA 3257707 v1

3634

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/920,080
Filing Date	July 31, 2001
First Named Inventor	Gillis, Robert E.
Group Art Unit	3634
Examiner Name	Jennifer Eleanore Novosad
Attorney Docket Number	016494-001200US

Total Number of Pages in This Submission

1

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
---	---	--

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP William J. Bohler	Reg. No. 31,487
Signature		
Date	October 16, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

October 16, 2002

Typed or printed name	Kathy Johnston	Date	October 16, 2002
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3257708 v1